



Journal of the House

State of Indiana

113th General Assembly

Second Regular Session

Eighth Meeting Day

Thursday Morning

January 8, 2004

The House convened at 10:30 a.m. with the Speaker in the Chair.

The invocation was offered by Pastor Throstr Thorardson, Seventh Day Adventist Church, West Lafayette, the guest of Representative Sue W. Scholer.

The Pledge of Allegiance to the Flag was led by Representative Cleo R. Duncan.

The Speaker ordered the roll of the House to be called:

T. Adams	Kromkowski ...
Aguilera	Kruse
Alderman	Kuzman
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff ...	Mays
C. Brown ...	McClain
T. Brown	Messer
Buck	Moses
Budak	Murphy
Buell	Neese
Burton	Noe
Cheney	Orentlicher
Cherry	Oxley
Chowning	Pelath
Cochran	Pflum
Crawford	Pierce
Crooks	Pond
Day	Porter
Denbo	Reske
Dickinson ...	Richardson
Dobis ...	Ripley
Duncan	Robertson
Dvorak	Ruppel
Espich	Saunders
Foley	Scholer
Frenz	V. Smith
Friend	Stevenson
Frizzell	Stilwell
Fry	Stutzman
GiaQuinta	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris	Turner
Hasler	Ulmer ...
Heim	Van Haaften *
Herrell	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Kersey	D. Young
Klinker	Yount
Koch	Mr. Speaker

* [Journal Clerk's Note: see column two for the swearing in of Representative-elect Van Haaften.]

Roll Call 13: 94 present; 6 excused. The Speaker announced a quorum in attendance. [NOTE: ... indicates those who were excused.]

Amy and Kristen O'Connell, Lebanon High School, sang the "Star Spangled Banner".

FILLING VACANT LEGISLATIVE OFFICE

November 14, 2003

The Honorable B. Patrick Bauer
Speaker, House of Representatives
Third Floor, State House
Indianapolis, In 46204

Ms. Diane Masariu Carter
Office of the Principal Clerk
House of Representatives
Third Floor, State House
Indianapolis, IN 46204

Mr. Joe Hogsett, Chairman
Indiana Democratic Party
1 North Capitol, Suite 2000
Indianapolis, IN 46204

Dear Speaker Bauer, Ms. Masariu Carter, and Chairman Hogsett:

With my election as Mayor of Evansville on November 4, 2003, I am writing to submit my resignation as State Representative for District 76 effective January 1, 2004. I trust this affords you the time necessary to call a caucus to select my replacement. I have truly enjoyed my five years of service in the Indiana House of Representatives.

Sincerely,
Jonathan D. Weinzapfel
State Representative, House District 76

CERTIFICATE OF APPOINTMENT TO FILL A VACANCY IN A STATE REPRESENTATIVE OFFICE BY A PRECINCT COMMITTEEMAN CAUCUS

To the Speaker of the Indiana House of Representatives:

This is to certify the following:

- 1) A vacancy occurred in the office of State Representative, District 76.
- 2) The vacancy occurred due to the resignation of Jonathan Weinzapfel.
- 3) The incumbent was elected or appointed as a candidate of the Democratic Party.
- 4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.
- 5) A caucus of eligible precinct committeemen was held on December 4, 2003, to fill the vacancy in this office. The caucus was held following the giving of notice required under IC 3-13-5-2.
- 6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.
- 7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the

declaration of candidacy, which was timely filed in accordance with IC 3-13-5-3, and is incorporated by reference in this certificate.

8) This appointment is effective January 1, 2004.

9) The person appointed to office is W. Trent Van Haaften of Mt. Vernon, Indiana.

I, the person designated by the state chairman to conduct this caucus, of the Democratic Party, certify that the information in this Certificate is true and complete.

Daniel J. Parker
December 5, 2003

The oath of office was administered to W. Trent Van Haaften by Chief Justice Randall T. Shepard as follows:

"I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge the duties of my office to the best of my skill and ability, so help me God."

APPOINTMENT OF COMMITTEES

The Speaker announced the following changes in appointments to standing committees:

Courts and Criminal Code: Representative Dvorak as Chair replacing former Representative Weinzapfel and Representative Van Haaften replacing former Representative Weinzapfel as a member of the committee;

Education: Representative Messer replacing former Representative Stine;

Elections and Apportionment: Representative Budak replacing former Representative Stine as Ranking Minority Member and Representative Messer replacing former Representative Stine as a member of the committee;

Financial Institutions: Representative Van Haaften replacing former Representative Weinzapfel;

Judiciary: Representative Van Haaften replacing former Representative Weinzapfel;

Local Government: Representative Messer replacing former Representative Stine; and

Public Health: Representative Welch replacing former Representative Weinzapfel.

RESOLUTIONS ON FIRST READING

House Resolution 3

Representatives Cheney, C. Brown, and Kuzman introduced House Resolution 3:

A HOUSE RESOLUTION memorializing Fannie Opal Volk.

Whereas, Fannie Opal Volk passed away on Saturday, May 31, 2003, at the age of 103;

Whereas, Fannie Volk was born on May 4, 1900, in Hoopeson, Illinois, the daughter of William and Lila (Phillips) Wallace;

Whereas, Fannie married Andrew Volk on October 1, 1919, in Wanatah, Indiana, and spent most of her life in Portage Township;

Whereas, During her lifetime, Fannie was a member of Nativity of Our Savior Catholic Church, a founding member of the American Gold Star Mothers of WWII, Inc., a member of the Portage American Legion Auxiliary Post 260, and the Eunice Bonner Senior Center;

Whereas, Fannie Volk is survived by one son, Andrew; two daughters, Helen and Mary; 13 grandchildren; 23 great grandchildren; 34 great-great grandchildren; three step-grandchildren; and six great-great step-grandchildren;

Whereas, Fannie Volk was preceded in death by her husband, Andrew; twin sons Richard and Russell, who died in World War II; and one daughter, Pauline; and

Whereas, During her lifetime, Fannie Opal Volk was a loving wife, mother, grandmother, great grandmother, and great-great grandmother. The death of Fannie Volk has left a void in our hearts and our community that may never be filled: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives wishes to convey its deepest sympathy to the family of Fannie Opal Volk.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to her son Andrew and daughters Helen Needs and Mary Ribar.

The resolution was read a first time and adopted by voice vote.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 12, 2004 at 1:30 p.m.

KUZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be removed as coauthor of House Bill 1005.

RESKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives T. Adams and Porter be added as coauthors of House Bill 1007.

ORENTLICHER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Murphy be added as coauthor of House Bill 1023.

DAY

Motion prevailed.

Pursuant to House Rule 156, the conference committee meeting on EHB 1001 was announced.

On the motion of Representative Harris, the House adjourned at 11:05 a.m., this eighth day of January, 2004, until Monday, January 12, 2004, at 1:30 p.m.

B. PATRICK BAUER
Speaker of the House of Representatives

DIANE MASARIU CARTER
Principal Clerk of the House of Representatives